

Modification of Minister's Approval

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning under delegation executed on 16 February 2015, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Ritchie
Director, Industry Assessments

Sydney 30 SEPTEMBER 2016

SCHEDULE 1

Approval:	05_0120 granted by the then Minister for Planning on 20 July 2007
For the following:	Construction of a new paper mill at Orora's Matraville Plant (Project) B9
On land comprising:	1891 Botany Road, Matraville
Modification:	05_0120 Mod 6: • Upgrade of the existing on-site wastewater treatment plant.
Proponent:	Orora Ltd

SCHEDULE 2

The project approval is modified by:

1. Inserting the following definitions in the Definitions table in Schedule 1, in alphabetical order:

05_0120 MOD 6	Modification request 05_0120 Mod 6 with supporting documents titled <i>Modification Assessment Report – Upgrade of Water Treatment Plant (WTP) – Modification #6</i> , dated July 2016, prepared by ConsultInfra; and <i>Submissions Report - Modification #6 Upgrade of Water Treatment Plant (WTP)</i> , dated August 2016, prepared by ConsultInfra.
Upgraded WTP	The upgraded wastewater treatment plant (WTP) described in 05_0120 MOD 6

2. Replacing Condition 1(i) in Schedule 2 with the following:
 - i) Modification request 05_0120 Mod 6, accompanying Environmental Assessment and plans dated July 2016 and Response to Submissions dated August 2016, both prepared by ConsultInfra.
3. Replacing Condition 3 in Schedule 2 as follows:
 3. If there is any inconsistency between the plans and documentation referred to in Condition 2 above, the conditions of this approval shall prevail to the extent of any inconsistency.
4. Replacing the words "MP 05_0120 MOD 5" with "05_0120 MOD 5", wherever occurring.
5. Inserting new Condition 1A in Schedule 3, after Condition 1, as follows:
 - 1A. Prior to commissioning the upgraded WTP, the Proponent shall submit a Post-Commissioning Monitoring and Testing Program to the EPA to establish that the upgraded WTP performs as described in the Air Quality Impact Assessment (AQIA) submitted with 05_0120 MOD 6. This shall include but is not limited to:
 - a) operation of the desulfurisation scrubber;
 - b) operation of the low-NOx gas engine, and
 - c) operation of the anaerobic digester including assessment of fugitive emissions.

The Program shall describe the contingencies that would be implemented, and the timing for implementation, should impacts that exceed the AQIA predictions be identified.
6. Inserting new Condition 14B in Schedule 3, after Condition 14A, as follows:
 - 14B. Prior to commissioning the upgraded WTP, the Proponent shall submit a Noise Verification Report to the Secretary identifying the final location and type of equipment associated with the upgraded WTP to verify the sound power level (dB(A)) assumptions in Table 3-1 of the Operational Noise Impact Assessment (ONIA) submitted with 05_0120 MOD 6.
7. Inserting Conditions 24A to 24F and accompanying headings in Schedule 3, after Condition 24, as follows:

Upgraded Wastewater Treatment Plant

Pre-construction

- 24A. The Proponent shall prepare the studies set out under subsections 24A a) to 24A c) (the pre-construction studies). Construction associated with 05_0120 MOD 6, other than preliminary works that are outside the scope of the hazard studies, shall not commence until study recommendations have been considered and, where appropriate, acted upon. The Proponent shall submit the studies to the Secretary no later than one month prior to the commencement of construction of the works associated with 05_0120 MOD 6 (other than preliminary works), or within such further period as the Secretary may agree.

a) HAZARD AND OPERABILITY STUDY

A Hazard and Operability Study for the upgraded WTP, chaired by a qualified person, independent of the project, approved by the Secretary prior to the commencement of the study. The study shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'*. The study report must be accompanied by a program for the implementation of all recommendations made in the report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.

The study shall address the hazards and safeguards in relation to the production of biogas from the upgraded WTP and the use of this biogas within the project as a whole. The study shall also address the hazards and safeguards in relation to the operation of the flare stack.

b) FINAL HAZARD ANALYSIS

The Final Hazard Analysis for the project, which was prepared under Condition 23 c) in Schedule 3, shall be updated to incorporate any changes due to 05_0120 MOD 6. The Final Hazard Analysis shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'*.

c) CONSTRUCTION SAFETY STUDY

A Construction Safety Study for the upgraded WTP, consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 7, 'Construction Safety'*.

Pre-commissioning

- 24B. Prior to commissioning, the Proponent shall develop and implement the plans and systems set out under subsections a) and b). The Proponent shall submit to the Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the upgraded WTP, or within such further period as the Secretary may agree.

a) EMERGENCY PLAN

The Emergency Plan and detailed emergency procedures for the project shall be updated to incorporate any changes due to the upgraded WTP. The plan shall include detailed procedures for the safety of all people outside of the project who may be at risk from the project. The plan shall be in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'*.

b) SAFETY MANAGEMENT SYSTEM

The Safety Management System for the project shall be updated to include any changes due to the upgraded WTP. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Secretary upon request. The Safety Management System shall be developed in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'*.

Pre-startup

24C. PRE-STARTUP COMPLIANCE REPORT

One month prior to the commencement of operation of the upgraded WTP, the Proponent shall submit to the Secretary, a report detailing compliance with conditions 24A and 24B, including:

- a) dates of study/plan/system submission, approval, commencement of construction and commissioning;
- b) actions taken or proposed, to implement recommendations made in the studies/plans/systems; and
- c) responses to each requirement imposed by the Secretary under condition 24F.

Post-startup

24D. POST-STARTUP COMPLIANCE REPORT

Three months after the commencement of operation of the upgraded WTP, the Applicant shall submit to the Secretary, a report verifying that:

- a) the updated Emergency Plan required under condition 24B a) is effectively in place and that at least one emergency exercise has been conducted; and
- b) the updated Safety Management System required under condition 24B b) has been fully implemented and that records required by the system are being kept.

Ongoing

24E. HAZARD AUDIT

Twelve months after the commencement of operations of the upgraded WTP and every three years thereafter, or at such intervals as the Secretary may agree, the Proponent shall carry out a comprehensive Hazard Audit of the facility as modified and within one month of each audit, submit a report to the Secretary.

The audit shall be carried out at the Proponent's expense by a qualified person or team, independent of the project, approved by the Secretary prior to commencement of the audit. The Hazard Audit shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*.

The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.

24F. FURTHER REQUIREMENTS

The Proponent shall comply with all reasonable requirements of the Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions 24A to 24E inclusive, within such time as the Secretary may agree.

8. Inserting new Condition 26B in Schedule 3, after Condition 26A, as follows:

26B. The Proponent shall update the existing Waste Management Plan for the site required by Condition 26 to include the works associated with 05_0120 Mod 6. The Plan shall:

- a) be submitted to the Secretary prior to the commencement of operation of the upgraded wastewater treatment plant; and
- b) include procedures to ensure the removal, handling and disposal of aerobic and anaerobic sludge would be undertaken in accordance with the relevant guidelines, standards and legislation.

9. Inserting new Condition 26C in Schedule 3, after Condition 26B, as follows:

- 26C. Prior to commissioning the upgraded WTP, the Proponent shall submit a Wastewater Treatment Plant Waste Management report to the EPA containing:
- a) details of the quantity and type of any additional liquid waste and non-liquid waste generated, handled, processed or disposed of at the site as a result of 05_0120 MOD 6;
 - b) details of liquid waste and non-liquid waste management at the site as a result of and/or generated by 05_0120 MOD 6, including:
 - i. the transportation and handling of additional waste generated;
 - ii. any stockpiling of wastes or recovered materials at the site;
 - iii. any waste processing, including reuse, recycling, reprocessing (including composting) or treatment both on and off-site;
 - iv. the method of disposing of all wastes or recovered materials generated (including any sludge wastes not eligible for any proposed exemptions);
 - c) the emissions arising from the handling, storage, processing and reprocessing of waste at the site;
 - d) details of vehicles, container or trailers used to transport waste off the site and how odours, spills or any escape of waste will be minimised during transport; and
 - e) whether clarification of these processes has any impact on the AQIA (particularly in relation to odour) or Operational or Construction NIA, submitted as part of 05_0120 MOD 6.

(Note: The Proponent shall consider the EPA's comments and recommendations, including any licence variations required for the Water Treatment Plant Waste Management prior to commissioning the upgraded WTP.)

10. Deleting Condition 30(e) in Schedule 4.

11. Inserting new Condition 36 in Schedule 4, after Condition 35 as follows:

Revision of Strategies, Plans and Programs

36. Within 3 months of:
- a) an annual independent environmental audit submitted under Condition 30;
 - b) an incident report submitted under Condition 33; or
 - c) the approval of a modification to the project approval,

the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.

(Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development.)

End of 05_0120 MOD 6